

Overseas Immigration News

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Items from Canada (2), Ireland (2), Germany, Turkey, South Africa, and Australia –

Immigration claims teacher linked to terrorists Alleged Al-Jihad member: Egyptian denies allegations, is appealing legal proceedings

By Stewart Bell

The National Post, May 20, 1999

Immigration officials have linked a biology teacher living in Canada since 1996 to an Egyptian terrorist group that is part of the Osama bin Laden network blamed for last year's deadly bombings at American embassies in Kenya and Tanzania.

Mahmoud Es-Sayy Jaballah is identified in a Federal Court document, filed to support his appeal on a refused refugee claim, as an "alleged member" of Al-Jihad, a unit of bin Laden's World Islamic Front.

Al-Jihad is behind a violent campaign to establish an Islamic state in Egypt.

Mr. Jaballah, 37, is currently being detained in a Toronto jail awaiting deportation on the grounds he is a national security risk.

He admits to being arrested in Egypt in connection with terrorist activity but says he is innocent.

"Quite simply, I am a devout Muslim," he said in a court statement.

"I have never belonged to any particular political or religious group."

A document filed in court diagrams the alleged connections between Mr. Jaballah and Al-Jihad, which the U.S. state department describes as an "Islamic extremist group" that "specializes in armed attacks against high-level Egyptian government officials."

Written by Terry MacKay, an official in the Immigration Department's war crimes unit, the document says Mr. Jaballah worked for an organization in Pakistan that "secretly funds terrorism."

The document also links Mr. Jaballah to Abdel-Bari, who Mr. MacKay said "controls" a group that is the "propaganda machine for Al-Jihad."

Steve Rosenbaum, Mr. Jaballah's lawyer, countered the diagram was "conjecture and has no basis in fact."

The latest of dozens of would-be Canadians to face deportation under Canada's anti-terrorism laws, Mr. Jaballah is scheduled to appear in court next month on the security-risk proceedings.

Born in Al-Shrqia, Egypt, Mr. Jaballah earned his bachelor of education degree from the University of Zakaziki.

At age 19, he was arrested in connection with the 1981 assassination of Anwar Sadat, the Egyptian president, but was released two years later without being charged.

He was again arrested in August, 1987, for allegedly conspiring to assassinate Egypt's interior minister.

Later that year, an Egyptian newspaper article, filed as evidence, identified Mr. Jaballah as a member of the military wing of an Islamic extremist group "that supported the operations of political assassinations."

After being detained seven times by Egyptian authorities, during which time he claims to have been tortured but never charged with any crimes, Mr. Jaballah fled to Saudi Arabia and then to Pakistan, where he worked for the International Islamic Relief Organization (IIRO).

Immigration Canada claims in court documents that the IIRO "secretly funds terrorism," by raising money for Al-Jihad. Since Mr. Jaballah was employed by the group, "he has direct links to terrorism," Mr. MacKay argued.

Mr. Rosenbaum said "that some people who may be linked to terrorism" had used the group "as a front to cover the intention of his real activities," but maintained it is a humanitarian agency.

Mr. Jaballah left Pakistan in 1994 and lived in Yemen, Azerbaijan, and Turkey before arriving at Lester B. Pearson International Airport three years ago with his wife and four children.

He claimed refugee status because of his "political and religious beliefs."

His refugee claim was rejected March 14, 1999.

The Immigration and Refugee Board said there were "serious implausibilities and internal inconsistencies" in his claim and noted: "He is perceived by the authorities to be a militant Islamist who is allegedly wanted in connection with terrorist activities of which he claims to be innocent."

He was arrested on March 31.

Al-Jihad has been active since the late '70s. One faction is headed by Ayman al-Zawahiri, a key bin Laden leader.

Bin Laden, a Saudi-born billionaire, is suspected in the Aug. 7 embassy bombings that killed 224.

Two weeks after the attacks, the U.S. fired cruise missiles at bin Laden's hideout in Afghanistan.

Minister pushes swipe card to reduce U.S. border checks Proposal for reforms
BY Robert Fife
The National Post, May 21, 1999

OTTAWA - Half of the \$365-billion in trade between Canada and the United States could cross the border without being inspected by 2001 as a result of high-level talks between Herb Dhaliwal, the Revenue Minister, and senior American officials.

Mr. Dhaliwal said U.S. cabinet officials and American senators were "extremely positive" about his proposal for reforms aimed at easing customs and immigration checks at borders for exporters and frequent business travellers.

"The simple fact is that our customs officers handle over 35,000 commercial clearances a day. I'd like to cut that number way back and allow those

officers to concentrate on high-risk shipments," he said yesterday.

"Resources ought to be concentrated on drug traffickers, security threats, crooks, and cheats -- not on honest business people or tourists."

The revenue minister, who is expected to be in line for a promotion in the upcoming cabinet shuffle, wants both nations to issue computerized identity cards for low-risk shippers of goods, such as General Motors, Steelco, and other major exporters.

A similar card, with finger-print identification, would be issued to allow frequent business travellers to whisk through airport kiosks without having to wait in long customs lineups. If they had duty to pay on goods, they could pay it directly by credit card.

"They just have to show the card and pass right through with no questions asked. You show your card with your picture and drive right through. The same card can be used at airports as well. You go to a kiosk and put your card in and it checks your fingerprints and you go through without talking to a customs officer," he said.

State loses appeal on power to deport immigrants

By Carol Coulter

The Irish Times, May 21, 1999

The State will be unable to deport non-nationals until July at the earliest following a Supreme Court decision that part of the Aliens Act is unconstitutional.

It is estimated that to 100 people who would otherwise have been deported since January may now remain in Ireland pending a change in the law. The Government hopes to have its new Immigration Bill passed into law before the Dáil recess in July in order to allow deportations to resume.

The High Court made a decision last January which suspended all pending deportation orders. The Supreme Court yesterday upheld that decision, meaning that there remains no legal basis for carrying out deportations.

The new Immigration Bill was introduced by the Minister for Justice in the wake of last January's High Court ruling. The upholding of the High Court decision in the Supreme Court has added to the urgency in the Government that the Bill should be enacted before the summer recess.

More than 60 people were deported from the State in 1998. This number would probably have risen to some hundreds by the end of this year, because of the increased rate of processing applications for asylum, if the relevant section of the Aliens Act had not been found unconstitutional.

By a majority of three to two the Supreme Court yesterday upheld the earlier judgment of the High Court that Section five (1) (e) of the 1935 Aliens Act, under which people are deported, was unconstitutional, on the basis that it gave powers to the Minister for Justice which ought to belong solely to the Oireachtas.

The Supreme Court also declared that a deportation order made against a Romanian asylum-seeker, Mr Sorin Laurentiu, and the article of the 1946 Aliens Order under which it was made, were invalid. Mr Justice Keane and Ms Justice Denham ruled against the appeal, and the Chief Justice, Mr Justice

Hamilton, agreed with them. Mr Justice Barrington and Mr Justice Lynch upheld the appeal.

Mr Justice Keane said that the power which the 1935 Act gave to the Minister was "inconsistent with the exclusive role in legislation conferred on the Oireachtas by Article 15.2.1 [of the Constitution]."

Ms Justice Denham said: "One searches in vain to find principles and policies regarding deportation in the Act. The legislature grasped the power over aliens from the executive and then delegated it inadequately to the Minister. It abdicated its power."

Mr Laurentiu, a former professional footballer, who was in court yesterday with his fiancée, Ms Michelle O'Rourke, said he was delighted with the decision. "It means we can go on holiday now", said Ms O'Rourke, who met Mr Laurentiu five years ago, the day after his arrival in Ireland.

As well as introducing the Bill, the Minister appealed the High Court decision to the Supreme Court on the grounds that the legislature could delegate to the Minister the power to deport aliens. Until the new Bill becomes law, he remains without that power.

Survey finds emigration high among the marginalised

By Carol Coulter

The Irish Times, May 21, 1999

More than 20,000 people a year are emigrating from the Republic, the majority of them young, ill-educated and marginalised, according to a survey published today. Many of them end up unemployed or ill, live in poor housing and enter unrewarding occupations.

These are among the findings of a study of emigration commissioned by the Irish Episcopal Commission for Emigrants and the Irish Commission for Prisoners Overseas.

The report found a need for substantial support services both among the new and existing emigrant populations in the main host countries, Britain, the US, Australia and in the EU.

The study found that, although emigration has fallen since the 1980s, some 31,000 people are leaving Ireland every year. In 1998 21,000 left the Republic and the most recent figures indicate 10,000 left the North.

The report found little evidence to support the image of Irish emigrants today as highly educated, upwardly mobile and successful.

"The situation of Irish people appears to deteriorate post-arrival in Britain and the evidence is remarkably consistent across different groups in different locations," it says.

Sixty-five per cent of the 1.2 million Irish-born people living abroad live in Britain and about 50 per cent of today's emigrants go there. "They experience high rates of unemployment and illness, a low rate of upward social mobility, live in poor housing, enter unrewarding occupations, suffer a distinct level of discrimination and present a high rate of social problems, including alcoholism and suicide," the study found.

A startling statistic is that Irish-born people constitute the largest

ethnic group of prisoners in Britain. There are about 1,200 Irish prisoners serving sentences abroad, in countries as far apart as Brazil and Cuba, Thailand, Spain and Morocco.

After Britain, the US is the most popular destination, with 17 per cent of the Irish-born living abroad residing there. This includes 70,000 illegal immigrants, with an estimated 4,000 more arriving every year. Although the visa initiatives helped, the recent stricter immigration laws mean that it is now almost impossible for the undocumented to regularise their situation.

According to the report, "of the 740 people who approached the Aisling Centre in New York in a nine-month period in 1998, 91 per cent were undocumented. Only 11 per cent had a university degree."

Bolstered by Government support for EU directives on labour migration, emigration to the EU has almost doubled.

The report stresses the need for a coherent policy on emigration, with substantial Government support for NGOs (non-governmental organisations) helping emigrants. Currently that support amounts to only £1 million annually.

It urges the Government to establish a time-limited task force on emigration, give sole responsibility to the Department of Foreign Affairs for the area, maintain accurate data and analysis of emigration trends and devise coherent policies in partnership with NGOs.

German Citizenship Reform Gets Final Parliamentary OK May 21, 1999

BONN (AP)--Parliament gave final approval Friday to a historic overhaul of Germany's blood-based 1913 citizenship law, despite continuing opposition from conservatives who had succeeded in watering down the reform.

The new law, passed by the upper house Friday, cuts the link between German blood ties and nationality by granting automatic citizenship to anyone born in the country. It also eases naturalization rules for longtime foreign residents.

Interior Minister Otto Schily spoke of a watershed toward a more modern sense of nationhood that would help integrate Germany's 7.3 million foreigners, who make up nearly 10% of the population. The largest group, about 2 million, are Turks.

"To define the nation mainly by blood connection was one of the tragic errors in our past," he told the chamber.

Debate over the plan has raged for months, straining Chancellor Gerhard Schroeder's center-left coalition and sparking a nationwide petition by conservative foes that has garnered some 5 million signatures. The lower house passed the bill earlier this month.

The new law, to take effect Jan. 1, allows children to hold both their parents' nationality and a German passport until age 23, when they would have to choose. Adults would be allowed to hold two passports only in rare hardship cases, as previously. Schroeder dropped plans to make dual citizenship the rule under conservative pressure.

The period required for naturalization is cut to eight years from 15.

Turkish police intercept 300 illegal immigrants Turkey-Immigrants
May 21, 1999

BOLU, Turkey (AP) - Police found some 300 would-be immigrants, mostly Afghans, Pakistanis and Bangladeshis, crammed in a truck heading toward Europe, police said Friday.

The immigrants said they had paid dlr 2,000 each to the smugglers to reach Europe through Turkey, the Anatolia news agency reported. They said they had spent seven days in the truck with little water or food.

Police intercepted the truck near Bolu, which lies 200 kilometers (120 miles) east of Istanbul.

The Afghans said they were fleeing the Afghanistan's radical Islamic Taliban rule and had transited through Pakistan and Iran.

Turkey, a crossroads between Europe and Asia, is under pressure from European nations to stop the flow of illegal immigrants across its borders.

Too Many Foreigners Worry Cote d'Ivoire
By Melvis Dzisah
Panafrican News Agency, May 20, 1999

ABIDJAN, Cote d'Ivoire (PANA) - The authorities in Cote d'Ivoire are worried about what they describe as the high foreigner presence in the country.

"The tolerable threshold has been surpassed, calling for urgent measures to prevent a major foreigner invasion," the Economic and Social Council said in a report titled "Immigration In Cote d'Ivoire."

The council, which has as its members eminent personalities from diverse walks of life, is the government's think tank on socio-economic issues.

According to the report, described as top secret but was leaked to the local press, the foreigner presence has maintained an alarming proportion since the first general population census in 1965.

"From 17.5 percent of the total population in 1965, it went up to 22 percent in 1975, 28 percent in 1968 and stabilised at 26 percent in 1993," it said. "It is no doubt that the 1998 census has revealed a more defiant and breathtaking figures concerning the progress of immigration in our country."

The report pointed out that "in other West African countries, the rate of immigration is not more than 2 percent. It is 1.8 percent in Senegal, 1.2 percent in Niger, 0.9 percent in Mauritania, 0.7 percent in Mali and Burkina Faso and 0.3 percent in Guinea Conakry."

It said "these figures without commentry, demonstrates the importance of immigration in our country, which is transforming even the population structure."

It also revealed that "the Ivorian population, which was characterised by a surplus of women at a ratio of 97 men to 100 women in 1988, has today changed from 105 men to 100 women by the grace of immigration, with the ratio being 126 men to 100 women among the immigrant population."

The report said 52 percent of the immigrants are Burkinabe, 23 percent Mali, 7 percent Guinea and 6 percent Ghana. When put together, they represented 48 percent of the active population in Cote d'Ivoire.

"Twelve percent of our population is also made up of immigrants from countries without borders with us," it said.

The report attributed present high immigrant population to the country's geographical position, history, socio-political and economic situation.

"The character of a coastal country constitutes, without doubt, an attractive determinant for immigration, while historically, it was our colonisers who started it," it noted.

According to the report, the former French colonial masters recruited by force 420,000 labourers between 1933-46 from the former Upper Volta, now Burkina Faso, to work on their cocoa, coffee and rubber plantations.

"After the second world war, despite the suppression of the forced labour system, immigration from Burkina Faso was carried out between 1947 and 1959 during which more than 230,000 new immigrants arrived in Cote d'Ivoire," the report disclosed. "This was also helped by our open political system and economic stability."

As a way out of the situation, the report recommended that adequate dispositions should be undertaken so that "we are not invaded by strangers."

"It is not xenophobia. It is a question of national protection," it stressed.

Australia being deluged by illegal boat people

CANBERRA, May 21 AAP - The federal opposition says the arrival of another two boats carrying illegal immigrants to Australia is a direct result of the failure of the nation's coastal security earlier in the year.

One vessel carrying 20 illegal immigrants from the Middle East and three crew arrived at Christmas Island while a second with seven people from the Indian sub continent and two crew was intercepted by the Navy at Ashmore Reef.

Opposition Justice spokesman Duncan Kerr said the arrival of the boats was a direct response to the failure to intercept two boatloads of illegal immigrants from China who landed on the east coast earlier this year.

"Labor warned the government months ago, when a boat arrived on a Cairns suburban beach, that the failure of the nation's coastal security network would send the wrong message to those considering illegal entry to Australia," he said in a statement.

"Two more boats carrying illegal immigrants have now arrived fromn the Indian sub continent and the Middle East. Obviously the message has been heard loud and clear, at least by people smugglers."

Immigration Minister Philip Ruddock said there had been a surge in attempts to land illegal immigrants by boat, with 440 detected so far this year, more than twice the number for the whole of 1998.